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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
DANG, DIEM DUC P	

ART UNIT	PAPER NUMBER
4145	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/567,836	WESSELS ET AL.	
	Examiner	Art Unit	
	DIEM DANG	4145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *August 03, 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *04/19/2007*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because the specification has spelling mistakes such as on page 4 line 18 the word communicatio should be communication. Correction is required. See MPEP § 608.01(b).

2. The abstract of the disclosure is objected to because the abstract contains legal terminology such as said, mean. Correction is required. See MPEP § 608.01(b).

3. The abstract of the disclosure is objected to because the specification does not have headings. Correction is required. See MPEP § 608.01(b).

4. The title of the invention is not descriptive. A new title is required so that it is clearly define the invention to which the claims are directed. Correction is required. See MPEP § 608.01(b).

Claim Objections

5. Claim 1 is objected to because of the following informalities: on page 8 line 10 a master was identified however on line 13 a mater is second time identified. Need to clarify. Appropriate correction is required.

6. Claim 10 objected to because of the following informalities: Claim 10 is a method claim therefore the word "step" should be included in each step of claim 10. Appropriate correction is required.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claim 1, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA (US 2006/0203714 A1) in view of Yamana (US 2002/0184387 A1)

9. As per claim 1, AAPA teaches a communication network comprising a plurality of devices, each equipped with a device operating circuit, a communication interface for receiving command signals, a control circuit coupled between the device operating circuit and the communication interface for controlling the operation of the device operating circuit part in dependency of said command signals, a control unit for generating control signals to control the operation of the devices, a master for receiving the control signals and for generating command signals and transferring the command signals to the communication interfaces of the devices (AAPA page 1 para 1-7).

10. AAPA does not teach master and the communication network comprises activating means for activating one of the masters and for activating another master in ease the active master fails.

11. Yamaya teaches master (col 1 para 3 line 1) and the communication network (col 1 para 1 line 3) comprises activating means (col 1 par 4 line 1-2) for activating one of the masters and for activating another master(col 1 para 9 line 1-7) in ease the active master fails (col 1 para 4 line 8-13).

12. Thus, it would have been obvious to one of ordinary skill in the art as the time the invention was made to implement the teaching of Yamaya into AAPA since AAPA suggests master in general and Yamaya suggests the beneficial use of the activating means method such

as activate the next master (Yanaya col 1 para 4 line 12-13) when the current master fails in the analogous art of master.

13. As per claim 10, AAPA in view of Yamaya teaches the communication network comprising a plurality of devices, each equipped with a device operating circuit, a communication interface for receiving command signals, a control circuit coupled between the device operating circuit and the communication interface for controlling the operation of the device operating circuit part in dependency of said command signals, a control unit for generating control signals to control the operation of the devices, a master for receiving the control signals and for generating command signals and transferring the command signals to the communication interfaces of the devices, characterized by equipping each device with a master and activating one of the master and activating another master in case the active master fails (discussed above with respect to claim 1).

14. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA (US 2006/0203714 A1)in view of Yamaya as applied to claim 1 above and further in view of Petite (US 7103511 B2).

15. As per claim 2, AAPA in view of Yamaya teaches the communication network as in claim 1 (see claim 1 rejection).

16. AAPA further teaches control unit (AAPA page 1 para 6). AAPA does not teach wireless remote control unit.

17. Petite teaches wireless remote control unit Petite (abstract para line 5-8).

18. Thus, it would have been obvious to one of ordinary skill in the art as the time the invention was made to implement the teaching in wireless remote control unit of Petite into

AAPA and Yamaya since AAPA and Yamaya suggests control unit in general and Petite suggests the beneficial use of the wireless remote control unit method such as to transmit and/or receive data remotely (Petite col 2 line 55-58) in the analogous art of control unit.

19. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA (US 2006/0203714 A1)in view of Yamaya as applied to claim 1 above and further in view of Petite (US 7103511 B2).

20. As per claim 3, AAPA in view of Yamaya teaches the communication network as in claim 1 (see claim 1 rejection)

21. AAPA further teaches master (AAPA page 1 para 7). AAPA does not teach transceiver for wireless communication.

Petite teaches transceiver for wireless communication Petite (col 2 line 39-43).

22. Thus, it would have been obvious to one of ordinary skill in the art as the time the invention was made to implement the teaching in transceiver for wireless communication of Petite into AAPA and Yamaya since AAPA and Yamaya suggests mater in general and Petite suggest the beneficial use of the transceiver for wireless communication method such to transmit and /or receive data remotely (Petite col 2 line 55-58) in the analogous art of control unit.

23. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA (US 2006/0203714 A1)in view of Yamaya as applied to claim 1 above and further in view of Van Der Veen (US 2001/0020831 A1).

24. As per claim 4 AAPA in view of Yamaya teaches the communication network as in claim 1 (see claim 1 rejection)

25. AAPA further teaches device operating circuit (col 1 para 9 line 3).

26. AAPA does not teach a ballast circuit for operating a lamp.

27. Van Der Veen teaches ballast circuit for operating a lamp Van Der Veen (abstract para line1-3).

28. Thus, it would have been obvious to one of ordinary skill in the art as the time the invention was made to implement the teaching in ballast circuit for operating a lamp of Van Der Veen into AAPA and Yamaya since AAPA and Yamaya suggests devices in general and Van Der Veen suggests the beneficial use of operating a lamp method such as to maintain constant current (Van Der Veen col 2 para 25 mentioned fig1 line 24-25) in the analogous art of operating a lamp.

29. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA (US 2006/0203714 A1)in view of Yamaya as applied to claim 1 and 4 above and further in view of Van Der Veen (US 2001/0020831 A1).

30. As per claim 5, AAPA in view of Yamaya teaches the communication network as in claim 4 (see claim 4 rejection).

31. AAPA further teaches device (AAPA page 1 para 9 line 3-5). AAPA does not teach luminaire.

32. Van Der Veen teaches luminaire (Van Der Veen page 1 para 9 line1-7).

33. Thus, it would have been obvious to one of ordinary skill in the art as the time the invention was made to implement the teaching in luminaire of Van Der Veen into AAPA and Yamaya since AAPA and Yamaya suggests devices in general and Van Der Veen suggests the beneficial use of the luminaire method such as to use a switching device containing a

microprocess which can control the brightness of the luminous flux (col 1, para 9) in the analogous art of luminaire.

34. Claim 6, 7, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA (US 2006/0203714 A1)in view of Yamaya as applied to claim 1 above and further in view of Ohno (US 4697187).

35. As per claim 6, AAPA in view of Yamaya teaches the communication network as in claim 1 (see claim 1 rejection).

36. AAPA further teaches master (AAPA page 1 para 9 line 9-12). AAPA does not teach beacon means for transmitting periodical signals when it is active and with detecting means for detecting the periodical signals transmitted by an active master.

37. Ohno teaches beacon means for transmitting periodical signals (col 1 line 52-col 2 line 6) when it is active (col 3 line 32-33) and with detecting means (col 3 line 33-35) for detecting the periodical signals (col 4 line 48-53).

38. Thus, it would have been obvious to one of ordinary skill in the art as the time the invention was made to implement the teaching Ohno into AAPA and Yamaya since AAPA suggests master in general and Ohno suggest the beneficial use of beacon means such as to transmit warning signals to the master so that signal is regulated in closed loop and can be maintained constant (col 1, line 25-30) in the analogous art of warning signal.

39. As per claim 7, AAPA in view of Yamaya and Ohno teach the communication network as in claim 6 (see claim 6 rejection).

40. Further, Yamaya teaches timer circuit (col 3 para 49 line 5- col 4 line 9) for timing the time lapse (col 4 para 49 line 6-9) during which the periodical signal is absent(col 4 para 51 line 7-11).

41. AAPA in view of Yamaya does not teach detecting means.

42. Ohno teaches detecting means (col 3 line 33-35).

43. Thus, it would have been obvious to one of ordinary skill in the art as the time the invention was made to implement the teaching of Ohno into AAPA and Yamaya since AAPA and Yamaya suggests timer in general and Ohno suggests the beneficial use of detecting timer by detecting beacon such as to detect failure signal and also to maintain constant signal in the analogous art of communication.

44. As per claim 8, AAPA in view of Yamaya and Ohno teach the communication network as in claim 6 (see claim 6 rejection).

45. AAPA, Yamaya and Ohno further teach master (AAPA page 1 para 9 line 9-12). AAPA does not teach means for activating itself in case the active master fails.

46. Yamaya teaches means for activating itself in case the active master fails Yamaya (col 1 para 4 line 1-13).

47. Thus, it would have been obvious to one of ordinary skill in the art as the time the invention was made to implement the teaching in next master self activated of Yamaya into AAPA since AAPA suggests master in general and Yamaya suggests the beneficial use of self activating when there is failure signals (col 1 para 4 line 1-13) in the network in the analogous art of master.

48. As per claim 9, AAPA in view of Yamaya and Ohno teach the communication network as in claim 7 (see claim 7 rejection).

49. AAPA does not teach mean for activating itself become active when the time lapse during which the periodical signal is absent is longer than a predetermined time lapse.

50. Yamaya teaches the means for activating itself become active (col 1 para 3 line 9-13) when the time lapse during which the periodical signal is absent (col 4 para 51 line 6-8) is longer than a predetermined time lapse (col 4 para 51 line 2-5).

51. Thus, it would have been obvious to one of ordinary skill in the art as the time the invention was made to implement the teaching in signal is being absent of Yamaya into AAPA since AAPA and Yamaya suggests communication in general and Yamaya suggests the beneficial use of time elapse is longer than predetermined (col 4 para 51 line 2-5) in the analogous art of communication.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DIEM DANG whose telephone number is (571)270-5635. The examiner can normally be reached on Monday-Friday.

52. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pankaj Kumar can be reached on 571-272-3011. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

53. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Diem Dang

/Pankaj Kumar/

Supervisory Patent Examiner, Art Unit 4145